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Docket No.: 1330.1103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Glenn R. McClendon, III, et al.

Serial No. 09/923,362

Group Art Unit: 3627

Confirmation No. 8925

Filed: August 8, 2001

Examiner: Joseph A. Fischetti

For: POSTING LINES

APPEAL BRIEF (REVISED)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Appeal was filed on February 23, 2007.

This Appeal Brief is responsive to the Final Office Action mailed November 24, 2006.

An Appeal Brief was filed on May 17, 2007. In response, a Notification of Non-Compliant Appeal Brief was mailed on August 20, 2007. The Notification indicates that the Appeal Brief does not present an argument under a separate heading for each ground of rejection on appeal. In this respect, it is respectfully submitted that the Notification is incorrect. More specifically, there is only one ground of rejection. The arguments in the Appeal Brief clearly include a separate heading for this ground of rejection. The separate heading is **bolded** in this revised Appeal Brief so that the separate heading can be clearly identified by the USPTO.

Moreover, the Notification indicates that claims argued as a group should be placed under a subheading identifying the claims by number. It is respectfully submitted that, in the Appeal Brief, the claims that are argued as a group are placed under a subheading identifying the claims by number. The subheadings are **bolded** in this revised Appeal Brief so that the subheadings can clearly be identified by the USPTO.

Other than the use of bolding, no other changes are made in the following portions of this revised Appeal Brief.

In view of the above, it is respectfully submitted that this revised Appeal Brief is fully responsive to the Notification.

(i) Real party in interest

The application was assigned to American Management Systems (AMS), as evidenced by an Assignment recorded in the USPTO at reel/frame 012298/0349.

AMS has since combined with CGI, with the combined company being named CGI Technologies and Solutions, Inc.

(ii) Related appeals and interferences

US application serial number 10/101,838 is a continuation-in-part (CIP) application of the present application. A Notice of Appeal was filed on April 24, 2007, in the CIP application. An Appeal Brief has not yet been filed in the CIP application, but is expected to be filed in the near future.

Other than the appeal in the above-referenced CIP application, there are no other prior and/or pending appeals, interferences or judicial proceedings known to appellant, the appellant's legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(iii) Status of claims

Claims 23-24 and 26-38 are currently pending.

Claims 28-31 are withdrawn from consideration.

Claims 23, 24, 26, 27 and 32-38 are rejected. These rejected claims 23, 24, 26, 27 and 32-38 are being appealed.

(iv) Status of amendments

No Amendment was filed after the Final Office Action.

There are no unentered Amendments After Final.

(v) Summary of claimed subject matter

Claim 23 recites a method comprising: (a) entering information on accounting lines by a person using a computer, the information entered on each accounting line relating to accounting activities and including an amount (see, for example, operation 100 in FIG. 1, and the disclosure

on page 7, lines 8-12, of the specification); (b) processing the information entered on the accounting lines by a computer to create posting lines, each posting line including a debit, a credit or a debit/credit pair relating to a respective amount included in information entered on a respective accounting line (see, for example, operation 145 in FIG. 1, and the disclosure on page 7, line 24, through page 8, line 7, of the specification; see also page 6, lines 20-24, of the specification); (c) storing the created posting lines in an electronic catalog by a computer (see, for example, posting line catalog 20 in FIG. 2, and the disclosure on page 12, last paragraph, through page 13, line 1; and page 14, lines 10-14, of the specification); (d) viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer (see, for example, operation 170 in FIG. 1, and the disclosure on page 9, lines 1-22, of the specification); (e) marking respective posting lines stored in the catalog by a person via a computer, so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person (see, for example, page 14, line 23, through page 15, line 7, of the specification); (f) selecting posting lines stored in the catalog by a computer in accordance with said marking (see, for example, page 14, line 23, through page 15, line 7, of the specification); (g) posting the selected posting lines to a journal by a computer, to thereby create journal entries (see, for example, operation 180 in FIG. 1, and the corresponding disclosure on page 9, lines 23-26; journal posting engine 25 in FIG. 2, and the corresponding disclosure on page 14, lines 19-21, of the specification); and (h) posting the journal entries to a ledger by a computer (see, for example, ledgers posting engine 35 in FIG. 2, and the corresponding disclosure on page 15, lines 5-7, of the specification).

Claim 27 recites an apparatus comprising: (a) means for entering information on accounting lines by a person using a computer, the information entered on each accounting line relating to accounting activities and including an amount (see, for example, operation 100 in FIG. 1, and the disclosure on page 7, lines 8-12, of the specification); (b) means for processing the information entered on the accounting lines by a computer to create posting lines, each posting line including a debit, a credit or a debit/credit pair relating to a respective amount included in information entered on a respective accounting line (see, for example, operation 145 in FIG. 1, and the disclosure on page 7, line 24, through page 8, line 7, of the specification; see also page 6, lines 20-24, of the specification); (c) means for storing the created posting lines in an electronic catalog by a computer (see, for example, posting line catalog 20 in FIG. 2, and the disclosure on page 12, last paragraph, through page 13, line 1; and page 14, lines 10-14, of the

specification); (d) means for viewing posting lines stored in the catalog by a person via a computer, for making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and for storing the corrected posting lines in the catalog by a computer (see, for example, operation 170 in FIG. 1, and the disclosure on page 9, lines 1-22, of the specification); (e) means for marking respective posting lines stored in the catalog by a person via a computer, so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person (see, for example, page 14, line 23, through page 15, line 7, of the specification); (f) means for selecting marked posting lines stored in the catalog by a computer (see, for example, page 14, line 23, through page 15, line 7, of the specification); (g) means for posting the selected posting lines to a journal by a computer, to thereby create journal entries (see, for example, operation 180 in FIG. 1, and the corresponding disclosure on page 9, lines 23-26; journal posting engine 25 in FIG. 2, and the corresponding disclosure on page 14, lines 19-21, of the specification); and (h) means for posting the journal entries to a ledger by a computer (see, for example, ledgers posting engine 35 in FIG. 2, and the corresponding disclosure on page 15, lines 5-7, of the specification).

Claims 32 and 36 recite that the posted posting lines are continued to be stored in the catalog after being posted. See, for example, posting line catalog 20 in FIGS. 2 and 3, posting line archive process 240 and posting line archive 250 in FIG. 3, and the disclosure on page 30, lines 7-21, of the specification.

Claim 34 recites posting the selected posting lines to a budget file by a computer, to thereby create budget entries. See, for example, operation 180 in FIG. 1, and the disclosure on page 9, lines 23-26, of the specification; see also budget 26 in FIG. 2, and the disclosure on page 14, lines 16-21, of the specification.

Claim 35 recites selecting additional posting lines stored in the catalog, other than the posting lines selected and posted to said respective journal, and posting the selected additional posting lines to a different journal. See, for example, page 14, line 10, through page 15, line 7, of the specification.

Claim 37 recites that corrections are made to the viewed posting lines by a user without requiring the user to refer back to accounting lines from which the viewed posting lines were created. See, for example, page 9 of the present application, illustrating examples of how a posting line can be corrected without requiring the user to refer back to original or previous accounting line entries. See also Example 3 on page 11 of the present application.

Claim 38 recites that respective posted posting lines in the catalog are marked after

being posted to indicate the respective posting lines have been posted. See, for example, page 31, lines 11-14, of the specification.

Various example portions of the application are described above as providing support for the claim recitations. However, support for the claim recitations is not limited to these example portions of the application. Instead, support for the various claim recitations can be found in other portions of the application.

(vi) Grounds of rejection to be reviewed on appeal

Rejection of claims 23, 24, 26, 27 and 32-38 under 35 USC 103(a) as being unpatentable over Marks (US Patent No. 5,117,356) in view of Heinemann (US Patent No. 6,882,986).

(vii) Argument

Rejection of claims 23, 24, 26, 27 and 32-38 under 35 USC 103(a) as being unpatentable over Marks (US Patent No. 5,117,356) in view of Heinemann (US Patent No. 6,882,986)

With respect to the rejection, it is respectfully requested that claims 23, 24, 26, 27 and 33 be grouped together.

Claim 23 recites a method comprising: (a) entering information on accounting lines by a person using a computer, the information entered on each accounting line relating to accounting activities and including an amount; (b) processing the information entered on the accounting lines by a computer to create posting lines, each posting line including a debit, a credit or a debit/credit pair relating to a respective amount included in information entered on a respective accounting line; (c) storing the created posting lines in an electronic catalog by a computer; (d) *viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer;* (e) *marking respective posting lines stored in the catalog by a person via a computer, so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person;* (f) *selecting posting lines stored in the catalog by a computer in accordance with said marking;* (g) *posting the selected posting lines to a journal by a computer, to thereby create*

journal entries; and (h) posting the journal entries to a ledger by a computer.

Marks discloses an accounting system in which a computer program 12 is run by a computer 14 to perform various recordkeeping procedures.

More specifically, data is gathered and written to a temporary transactions journal file 28. See, for example, column 11, lines 4-14, of Marks. As a result, temporary transactions journal file 28 will contain temporary transaction records of economic activities which have not been entered as permanent transaction records and have not been posted. See, for example, column 6, lines 15-22, of Marks.

Next, a permanent transaction record is created in a permanent transaction records data file 30 from the temporary transaction records in temporary transactions journal file 28. See, for example, column 14, lines 66-68, of Marks.

After a permanent transaction record is created in permanent transaction records data file 30 from the temporary transaction records in temporary transactions journal file 28, the temporary transaction records in temporary transactions journal file 28 are erased. See, for example, column 15, lines 34-41, of Marks.

However, Mark does not allow a person to view records in temporary transactions journal file 28 or to make corrections to such viewed records. Instead, as indicated above, records in the temporary transactions journal file 28 are automatically erased.

Moreover, as indicated in column 11, lines 4-9, of Marks, the purpose of the temporary transactions journal file 28 is to store temporary transaction records "until all necessary information to satisfy a completed accountable event or condition is obtained". The temporary transactions journal file 28 of Marks is NOT provided to allow a user to view the stored records and to make corrections to the viewed records.

In fact, on page 3 of the outstanding Office Action, the Examiner concedes that "Marks fails to disclose viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer."

Moreover, Mark does not allow a person to mark records in temporary transactions journal file 28. Therefore, Mark does not allow for "marked" and "not marked" records to be stored in temporary transactions journal file 28. In fact, on page 3 of the Office Action, the Examiner concedes that "Marks fails to disclose ... marking so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person".

Instead, the Examiner relies on Heinemann as disclosing the above features which the

Examiner concedes are not disclosed in Mark.

Heinemann discloses a system for processing invoices. More specifically, stored rules are automatically applied to data on an invoice, to determine whether the invoice passes or fails the rules. See, for example, FIG. 6, and column 4, line 33, through column 6, line 38, of Heinemann.

However, neither the data on the invoices, nor the invoices, of Heinemann, are posting lines that are posted to a journal. Instead, the processing of invoices in Heinemann relates to a stage in an accounting process which is different than, and typically performed before, the creation of posting lines.

Heinemann allows for corrections to be made to an invoice by a billing party. However, as indicated in column 9, lines 1-9, of Heinemann, such corrections are made by the billing party, not by the host computer, and then resubmitted to the host computer. Heinemann does not disclose or suggest that stored posting lines are viewed by a person, and that corrections are made to the viewed posting lines via a computer by the person viewing the posting lines, as recited, for example, in claim 23. Moreover, Heinemann does not disclose or suggest that respective stored posting lines are marked by a person via a computer, so that posting lines which are marked by the person are stored, and posting lines which are not marked by the person are stored, as recited, for example, in claim 23. Further Heinemann does not disclose or suggest that stored posting lines are selected in accordance with said marking, and that the selected posting lines are posted to a journal by a computer, as recited, for example, in claim 23.

Heinemann discloses the use of a unique transaction code for each invoice data file. However, this unique transaction code is assigned by a computer. See, for example, column 4, line 65, through column 5, line 4, of Heinemann. The unique transaction code of Heinemann is not assigned by a person, and does not teach "marking posting lines".

Moreover, it is respectfully submitted that Mark and Heinemann should not be combined in the manner proposed by the Examiner, as the references relate to different stages in the accounting process. More specifically, Heinemann relates to the front-end of the accounting process in which invoices are processed. Mark relates to the back-end of the accounting process in which ledger files are updated.

In accordance with the above arguments, it is respectfully submitted that the references, taken individually or in combination, do not disclose or suggest the present invention as recited, for example in claim 23.

Although the above comments are specifically directed to claim 23, it is respectfully submitted that the comments would be helpful in understanding differences of various other

claims over Marks.

* * *

With respect to the rejection, it is respectfully requested that claim 37 be grouped by itself.

Claim 37 recites that corrections are made to the viewed posting lines by a user without requiring the user to refer back to accounting lines from which the viewed posting lines were created. See, for example, page 9 of the present application, illustrating examples of how a posting line can be corrected without requiring the user to refer back to original or previous accounting line entries. See also Example 3 on page 11 of the present application. As would be understood from the above arguments, neither cited reference discloses or suggests such features.

* * *

With respect to the rejection, it is respectfully requested that claim 32 and 36 be grouped together.

Claims 32 and 36 recite that the posted posting lines are continued to be stored in the catalog after being posted.

These claims emphasize differences over the use of the temporary transaction records in temporary transactions journal file 28 of Marks, as the temporary transaction records are automatically erased in Marks after being posted. As would be understood from the above arguments, neither cited reference discloses or suggests such features.

* * *

With respect to the rejection, it is respectfully requested that claim 38 be grouped by itself.

Claim 38 recites that respective posted posting lines in the catalog are marked after being posted to indicate the respective posting lines have been posted.

This claim emphasizes differences over the use of the temporary transaction records in temporary transactions journal file 28 of Marks, as the temporary transaction records are automatically erased in Marks after being posted. As would be understood from the above arguments, neither cited reference discloses or suggests such features.

* * *

With respect to the rejection, it is respectfully requested that claim 34 be grouped by itself.

Claim 34 recites posting the selected posting lines to a budget file by a computer, to thereby create budget entries.

In Marks, the temporary transaction records in temporary transactions journal file 28 are posted ONLY to permanent transaction records data file 30. The records cannot be posted to any other journal or file. In Marks, the temporary transaction records are not used to create budget entries. As would be understood from the above arguments, neither cited reference discloses or suggests such features.

* * *

With respect to the rejection, it is respectfully requested that claim 35 be grouped by itself.

Claim 35 recites selecting additional posting lines stored in the catalog, other than the posting lines selected and posted to said respective journal; and posting the selected additional posting lines to a different journal.

Marks does not disclose or suggest that the temporary transaction records can be posted to more than one different journal. Instead, in Marks, the temporary transaction records are posted only to permanent transaction records data file 30. As would be understood from the above arguments, neither cited reference discloses or suggests such features.

* * *

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

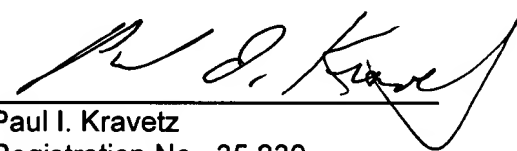
Respectfully submitted,

STAAS & HALSEY LLP

Date:

August 30, 2007

By:



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(viii) Claims appendix

1. (CANCELED)
2. (CANCELED)
3. (CANCELED)
4. (CANCELED)
5. (CANCELED)
6. (CANCELED)
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18. (CANCELED)
19. (CANCELED)
20. (CANCELED)
21. (CANCELED)
22. (CANCELED)
23. (PREVIOUSLY PRESENTED) A method comprising:
 - entering information on accounting lines by a person using a computer, the information entered on each accounting line relating to accounting activities and including an amount;
 - processing the information entered on the accounting lines by a computer to create posting lines, each posting line including a debit, a credit or a debit/credit pair relating to a respective amount included in information entered on a respective accounting line;
 - storing the created posting lines in an electronic catalog by a computer;
 - viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer;
 - marking respective posting lines stored in the catalog by a person via a computer, so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person;
 - selecting posting lines stored in the catalog by a computer in accordance with said marking;
 - posting the selected posting lines to a journal by a computer, to thereby create journal entries; and

posting the journal entries to a ledger by a computer.

24. (PREVIOUSLY PRESENTED) A method as in claim 23, wherein said marking marks respective posting lines to indicate whether the respective posting lines are ready to post.

25. (CANCELED)

26. (PREVIOUSLY PRESENTED) A method as in claim 23, wherein said marking marks at least one corrected posting line stored in the electronic catalog.

27. (PREVIOUSLY PRESENTED) An apparatus comprising:

- means for entering information on accounting lines by a person using a computer, the information entered on each accounting line relating to accounting activities and including an amount;
- means for processing the information entered on the accounting lines by a computer to create posting lines, each posting line including a debit, a credit or a debit/credit pair relating to a respective amount included in information entered on a respective accounting line;
- means for storing the created posting lines in an electronic catalog by a computer;
- means for viewing posting lines stored in the catalog by a person via a computer, for making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and for storing the corrected posting lines in the catalog by a computer;
- means for marking respective posting lines stored in the catalog by a person via a computer, so that the catalog thereby includes stored posting lines which are marked by the person and stored posting lines which are not marked by the person;
- means for selecting marked posting lines stored in the catalog by a computer;
- means for posting the selected posting lines to a journal by a computer, to thereby create journal entries; and
- means for posting the journal entries to a ledger by a computer.

28. (WITHDRAWN - PREVIOUSLY PRESENTED) A method comprising:

- entering information on an accounting line by a person using a computer, the information entered on the accounting line relating to accounting activities and including an amount;
- processing the information entered on the accounting line by a computer to create a posting line including a debit, a credit or a debit/credit pair relating to the amount;

storing the created posting line in an electronic catalog by a computer, the electronic catalog comprising a plurality of other posting lines;

viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer;

indicating respective posting lines stored in the catalog by a person via a computer as being ready to post, so that the catalog thereby includes stored posting lines which are indicated by the person as being ready to post and stored posting lines which are not indicated by the person as being ready to post;

posting the posting lines which are indicated as being ready to post to a journal by a computer, to thereby create journal entries; and

posting the journal entries to a ledger by a computer.

29. (WITHDRAWN - PREVIOUSLY PRESENTED) An apparatus comprising:
means for entering information on an accounting line by a person using a computer, the information entered on the accounting line relating to accounting activities and including an amount;

means for processing the information entered on the accounting line by a computer to create a posting line including a debit, a credit or a debit/credit pair relating to the amount;

means for storing the created posting line in an electronic catalog by a computer, the electronic catalog comprising a plurality of other posting lines;

means for viewing posting lines stored in the catalog by a person via a computer, for making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and for storing the corrected posting lines in the catalog by a computer;

means for indicating respective posting lines stored in the catalog by a person via a computer as being ready to post, so that the catalog thereby includes stored posting lines which are indicated by the person as being ready to post and stored posting lines which are not indicated by the person as being ready to post;

means for posting the posting lines which are indicated as being ready to post to a journal by a computer, to thereby create journal entries; and

means for posting the journal entries to a ledger by a computer.

30. (WITHDRAWN - PREVIOUSLY PRESENTED) A method comprising:
entering information on an accounting line by a person using a computer, the information

entered on the accounting line relating to accounting activities;

processing the information entered on the accounting line by a computer to create a posting line including an amount;

splitting the created posting line into a plurality of posting lines by a computer, each of the posting lines of the plurality of posting lines including a debit, a credit or a debit/credit pair relating to the amount;

storing the plurality of posting lines in an electronic catalog by a computer, the electronic catalog comprising a plurality of other posting lines;

viewing posting lines stored in the catalog by a person via a computer, making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and storing the corrected posting lines in the catalog by a computer;

indicating respective posting lines stored in the catalog by a person via a computer to as being ready to post, so that the catalog thereby includes stored posting lines which are indicated by the person as being ready to post and stored posting lines which are not indicated by the person as being ready to post;

posting the posting lines which are indicated as being ready to post to a journal by a computer, to thereby create journal entries; and

posting the journal entries to a ledger by a computer.

31. (WITHDRAWN - PREVIOUSLY PRESENTED) An apparatus comprising:

means for entering information on an accounting line by a person using a computer, the information entered on the accounting line relating to accounting activities;

means for processing the information entered on the accounting line by a computer to create a posting line including an amount;

means for splitting the created posting line into a plurality of posting lines by a computer, each of the posting lines of the plurality of posting lines including a debit, a credit or a debit/credit pair relating to the amount;

means for storing the plurality of posting lines in an electronic catalog by a computer, the electronic catalog comprising a plurality of other posting lines;

means for viewing posting lines stored in the catalog by a person via a computer, for making corrections to the viewed posting lines via a computer by the person viewing the posting lines, and for storing the corrected posting lines in the catalog by a computer;

means for indicating respective posting lines stored in the catalog by a person via a computer as being ready to post, so that the catalog thereby includes stored posting lines which

are indicated by the person as being ready to post and stored posting lines which are not indicated by the person as being ready to post;

means for posting the posting lines which are indicated as being ready to post to a journal by a computer, to thereby create journal entries; and

means for posting the journal entries to a ledger by a computer.

32. (PREVIOUSLY PRESENTED) A method as in claim 23, further comprising:
continuing to store posted posting lines in the catalog after being posted.

33. (PREVIOUSLY PRESENTED) A method as in claim 23, further comprising:
updating a flag corresponding to each marked posting line, the updated flag thereby indicate that the posting line was marked,
wherein said selecting selects posting lines having updated flags indicating that the post lines were marked.

34. (PREVIOUSLY PRESENTED) A method as in claim 23, further comprising:
posting the selected posting lines to a budget file by a computer, to thereby create budget entries.

35. (PREVIOUSLY PRESENTED) A method as in claim 23, wherein the journal is a respective journal of at least two journals, the method further comprising:

selecting additional posting lines stored in the catalog, other than the posting lines selected and posted to said respective journal; and

posting the selected additional posting lines to a different journal than said respective journal of said at least two journals.

36. (PREVIOUSLY PRESENTED) A method as in claim 35, further comprising:
continuing to store posted posting lines in the catalog after being posted.

37. (PREVIOUSLY PRESENTED) A method as in claim 23, wherein said making corrections to the viewed posting lines does not require the user to refer back to accounting lines from which the viewed posting lines were created.

38. (PREVIOUSLY PRESENTED) A method as in claim 23, further comprising:
marking respective posted posting lines in the catalog after being posted to indicate the respective posting lines have been posted.

(ix) Evidence appendix

No information is being submitted in an evidence appendix.

(x) Related proceedings appendix

No evidence is being submitted in a related proceedings appendix.